

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO. 32 OF 1996.

IN

SUM.SUIT NO. 4137 OF 1995.

Bank of Baroda. ... Plaintiff.

Versus.

D.B.Mishra & others. ... Defendant.

Ms.Varsha parulekar i/by Shri A.B.Shinde for the  
Plaintiff.

CORAM : ABHAY S.OKA, J.

DATED : 31st October, 2007.

P.C.:

1. Heard the learned Counsel appearing for the Plaintiff. Considering the nature of the suit and the contentions raised in the reply filed by the 3rd Defendant, triable issues have been raised. Hence unconditional leave deserves to be granted to the 3rd Defendant.

2. Accordingly Summons for Judgment is disposed of directing that unconditional leave is granted to the 3rd Defendant to defend the suit. Written statement to be filed within eight weeks. The suit shall be accordingly transferred to the list of commercial causes.

Judge.